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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE:

APPLICANT(S): JACK V. SMITH

GROUP ART UNIT: 7743

S.N.: 09/829,563

EXAMINER: BAKER, MAURIE GARCIA

FILING DATE: 04/11/01

DATE OF THIS RESPONSE: 6/3/02

FOR: Methods for Assaying Biological and other Constituents using Synthetic Nucleounits in Lateral Flow, Liquid, and Dry Chemistry Techniques

ELECTION / RESTRICTION

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Madam:

In response to the Office Action mailed 05/10/02, the applicant under 35 U.S.C. 121 elects a single disclosed species of Type 1 and 2, even though this requirement is traversed.

Election:

Species 1: Type of "indicator":

NAD (nicotinamide adenine dinucleotide)

Claims: 1-7

Species 2: Type of "analyte of interest":

prostate-specific antigen

Claims: 1-7

Conditional Request For Constructive Assistance

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Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 107.03(d) and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully Submitted,

~~Jack V. Smith~~

Applicant Pro Se

P.O. BOX 156

Arden, NC 28704

Phone: 828-650-0410 or 828-275-0343 or 800-905-4272

Fax: 828-650-0359

Certificate of mailing: I certify that on the date below this document and referred attachments, if any, will be deposited with the US Postal service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date:6/3/02

Signed:

Jack V. Smith